



GUIDELINES FOR DISCIPLINARY PENALTIES AND TERMS OF PROBATION

[~~MAY 1997~~ JUNE 2006]

ISSUED BY THE
CALIFORNIA DEPARTMENT OF CONSUMER AFFAIRS
BUREAU OF AUTOMOTIVE REPAIR
10240 SYSTEMS PARKWAY
SACRAMENTO, CALIFORNIA 95827
www.autorepair.ca.gov
www.smogcheck.ca.gov



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[~~May 1997~~June 2006]

I. INTRODUCTION

To foster uniformity of penalties and to make sure our licensees and registrants understand the consequences of violations of the Automotive Repair Act or the Smog Check Program, the Bureau of Automotive Repair has established these guidelines. The guidelines provide a range of penalties for each section of law found to have been violated. The Bureau requests that Administrative Law Judges take into account the "Factors in Aggravation and in Mitigation" listed below, when deciding the severity of the penalty within the range.

Should a probationary period be a part of a proposed decision, the Bureau requests that the Administrative Law Judge impose the appropriate "Terms and Conditions of Probation," as outlined below. These terms and conditions are intended to protect the public from continued illegal behavior and to facilitate the rehabilitation of the probationer without being unduly burdensome or anti-competitive.

The letters A through ~~E~~D following each section of law or regulation refer to the Standard Terms and Conditions of Probation (A-~~E~~D) to be applied for a confirmed violation of that section.

II. FACTORS IN AGGRAVATION AND IN MITIGATION

The Bureau normally submits cases for the filing of an Accusation based on investigations and the use of undercover vehicle operations in order to detect and document multiple violations of the Smog Check Program or the Automotive Repair Act.

In determining the proper penalty within the suggested ranges the following factors should be considered:

1. Factors in Aggravation

- a. Prior warnings from BAR.
- ~~b.~~ ~~Prior Notices of Violations.~~
- ~~c.~~ ~~Prior Office Conference with BAR.~~
- ~~d.~~ ~~c.~~ Prior adverse Inspection Reports.
- ~~e.~~ ~~d.~~ Prior demonstrations of incompetence.
- ~~f.~~ ~~e.~~ Prior history of citations.
- ~~g.~~ ~~f.~~ Prior history of formal disciplinary action.
- ~~h.~~ ~~g.~~ Failure to permit BAR inspection of records.
- ~~i.~~ ~~h.~~ Abuse of mechanic's lien.
- ~~j.~~ ~~i.~~ Attempts to intimidate consumer.
- ~~k.~~ ~~j.~~ Negligent or willful improper repair work that endangers consumer.
- ~~l.~~ ~~k.~~ Evidence that the unlawful act was part of a pattern of practice.
- ~~m.~~ ~~l.~~ Failure to comply with BAR request for corrective action/retraining.
- ~~n.~~ ~~m.~~ Currently on probation for improper acts.
- ~~o.~~ ~~n.~~ Failure to successfully complete prior period of probation.
- ~~p.~~ ~~o.~~ Failure to pay court judgment to victim.
- ~~q.~~ ~~p.~~ Violation of previous court order.
- ~~r.~~ ~~q.~~ Any other conduct which constitutes fraud or gross negligence.

2. Factors in Mitigation

- a. Evidence that respondent accepted BAR's suggested resolution to consumer complaint.
- b. Evidence of voluntary participation in retraining for self or employees.
- c. Evidence of voluntary purchase of proper diagnostic equipment and manuals.
- d. Evidence of temporary medical condition that prevented respondent from exercising supervision and control over employees or others, which led to wrongdoing.
- e. Absence of prior disciplinary action.
- f. No evidence that the unlawful act was part of a pattern of practice.
- g. Evidence of nNo loss to consumer and no damage to consumer's property.
(Undercover cars are ~~treated~~ viewed as if they ~~were~~ belonged to consumers.)
- ~~f.~~h. Evidence that shop has taken specific steps for retraining and has initiated steps to minimize recurrence.
- ~~g.~~i. Evidence of resolution of all consumer complaints with a subsequent change in business practice.
- ~~h.~~j. Evidence of internal control or audit designed to eliminate errors.

The absence of any new allegations or amendments to the accusation as originally filed, during the period between the filing of the accusation and the date the matter comes to hearing, in itself, shall not be regarded as evidence of mitigation.

III. STANDARD TERMS AND CONDITIONS OF PROBATION

A. Standard Terms and Conditions "A" include the following:

1. During the period of probation, respondent(s) shall:
 - a. Comply with all statutes, regulations and rules governing automotive inspections, estimates and repairs.
 - b. *(Applicable only when actual suspension is ordered.)* Post a prominent sign, provided by the Bureau, indicating the beginning and ending dates of the suspension and indicating the reason for the suspension. The sign shall be conspicuously displayed in a location open to and frequented by customers and shall remain posted during the entire period of actual suspension.
 - c. ~~Respondent or respondent's authorized representative must r~~Report in person or through an authorized representative, either by personal appearance or in writing as prescribed by the Bureau of Automotive Repair, on a schedule set by the Bureau, but no more frequently than once each quarter, on the methods used and success achieved in maintaining compliance with the terms and conditions of probation.
 - d. Within 30 days of the effective date of this action, report any financial interest which any respondent or any partners, officers, or owners of the any respondent facility may have in any other business required to be registered pursuant to Section 9884.6 of the Business and Professions Code.
 - e. Provide Bureau representatives unrestricted access to ~~inspect~~ examine all vehicles (including parts) undergoing service, inspection or repairs, up to and including the point of completion.
2. If an accusation is filed against respondent during the term of probation, the Director of Consumer Affairs shall have continuing jurisdiction over this matter until the ~~final~~ decision on the subsequent accusation, and the period of probation shall be extended until such decision is final.
3. Should the Director of Consumer Affairs determine that respondent has failed to comply with the terms and conditions of probation, the Department may, after giving notice and opportunity to be heard [temporarily or permanently invalidate the registration] [suspend or revoke the license].
4. *(Applicable only if the accusation involves false and misleading advertising;.)*
Dduring the period of probation, respondent shall submit any proposed advertising copy, whether revised or new, to the Bureau at least thirty (30) days prior to its use.

B. Standard Terms and Conditions "B" include the following:

(Applicable to Technicians only)

1. During the period of probation, respondent shall attend and successfully complete a Bureau certified training course in diagnosis and repair of emission systems failures and engine performance, applicable to the class of license held by the respondent. Said course shall be completed and proof of completion submitted to the Bureau within 60 days of the effective date of this decision and order. If proof of completion of the course is not furnished to the Bureau within the 60-day period, respondents' license shall be immediately suspended until such proof is received.

C. Standard Terms and Conditions "C" include the following:

(Applicable to Smog Check Stations only)

1. During the period of probation, respondent shall not perform any form of smog inspection, or emission system diagnosis or repair, until respondent has purchased, installed, and maintained the diagnostic and repair equipment prescribed by BAR necessary to properly perform such work, and BAR has been given 10 days notice of the availability of the equipment for inspection by a BAR representative.

D. Standard Terms and Conditions "D" include the following:

(Applicable only if cost reimbursement is ordered.)

1. Respondent shall, pursuant to Business and Professions Code section 125.3, pay the sum of _____ dollars and _____ cents (\$ _____) to the Bureau of Automotive Repair as reimbursement for its costs and expenses of investigation and enforcement in this matter. Respondent shall pay the entire sum in full not later than thirty (30) days after the effective date of this decision. If respondent can demonstrate to the Bureau's satisfaction the existence of a financial hardship, the Bureau may enter into a formal written agreement with respondent for a scheduled payment plan. Any agreement for a scheduled payment plan shall require full payment not later than one (1) year from the effective date of this decision. Failure to complete cost reimbursement within the specified time frame or in accordance with any formal written agreement or payment plan, shall constitute a violation of probation which may subject respondent's [registration] [license] to outright revocation.
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IV. PENALTY GUIDELINES

Accusations are filed by the Bureau only in cases it deems serious. The Bureau's emphasis is on disciplining licensees who show a pattern of abuse or willful misconduct in dealing with the public. The following guidelines were formulated for licensees who are found to have committed substantial violations. The Bureau suggests that in cases involving multiple violations, orders for suspension or other discipline run concurrently.

Because the Bureau reserves the filing of a Petition for Interim Suspension Order (ISO) for only the most egregious of cases, the only recommended penalty would be invalidation and revocation of all registrations and licenses. Therefore, in such cases the following guidelines need not be consulted.

CODE SECTIONS

TERMS AND CONDITIONS OF PROBATION

1. Business and Professions Code

§ 9884.7(a)

A & D

(a1) - False and Misleading Statements

MIN. – 90-day suspension of ARD registration
80 days stayed
2 years probation

MAX. – Revocation of ARD registration

(2) – Incomplete Work Order

A

MIN. – 90 day suspension of ARD registration
80 days stayed
2 years probation

MAX. – Revocation of ARD registration

(3) – Failure to Give Customer Copy of Document When Signed

A

MIN. – 90 day suspension of ARD registration
80 days stayed
2 years probation

MAX. – Revocation of ARD registration

(d4) - Conduct Constituting Fraud

A & D

MIN. – Revocation of ARD registration, stayed
30-day suspension of ARD registration
5 years probation

MAX. – Revocation of ARD registration

(e5) - Gross Negligence

A & D

MIN. – 90-day suspension of ARD registration
80 days stayed
2 years probation

MAX. – Revocation of ARD registration

(f6) - Failure to Comply

A & D

MIN. – 180-day suspension of ARD registration
160 days stayed
2 years probation

MAX. – Revocation of ARD registration

(g7) - Willful Departure

A & D

MIN. – 90-day suspension of ARD registration
80 days stayed
2 years probation

MAX. – Revocation of ARD registration

(h8) - False Promises

A & D

MIN. – 180-day suspension of ARD registration
160 days stayed
2 years probation

MAX. – Revocation of ARD registration

(9) – Subletting Repair Work Without Customer’s Consent

A

MIN. – 90-day suspension of ARD registration
80 days stayed
2 years probation

MAX. – Revocation of ARD registration

(10) – Conviction of a Violation of P.C. § 551

A

MIN. – Revocation of ARD registration, stayed
30-day suspension of ARD registration
2 years probation

MAX. – Revocation of ARD registration

§ 9884.8 - Improper Invoice

A & D

MIN. – ~~10-day suspension~~ 90-day suspension of ARD
registration
80 days stayed
2 years probation

MAX. – Revocation of ARD registration

§ 9884.9 - No Written Estimate

A & D

MIN. – 90-day suspension of ARD registration
80 days stayed
2 years probation

MAX. – Revocation of ARD registration

§ 9884.10 – Return of Replaced Parts

A & D

MIN. – 90-day suspension of ARD registration
80 days stayed
2 years probation

MAX. – Revocation of ARD registration

§ 9884.11 - Failure to Retain Records

A & D

MIN. – 90-day suspension of ARD registration
80 days stayed
2 years probation

MAX. – Revocation of ARD registration

§ 9889.16 - Licensed Installer Required

A & D

MIN. – 90-day suspension of ARD registration
80 days stayed
2 years probation

MAX. – Revocation of ARD registration

§ 9884.17 – Display of Official Automotive Repair Dealer’s Sign

A & D

MIN. – 90-day suspension of ARD registration
80 days stayed
2 years probation

MAX. – Revocation of ARD registration

2. Health and Safety Code

§ 44011.3 – Smog Inspection; Partial Pretest

A, C & D

MIN. – 90-day suspension of Station license
80 days stayed
2 years probation

MAX. – Revocation of ARD registration & Station license

§ 44012 - Improper Inspections

A, & B & D

MIN. - Revocation of ARD registration & Station license,
stayed
30-day suspension of Station license
2 years probation

MAX. - Revocation of ARD registration & Station License

§ 44014 - Test and Repair Conducted by Unqualified/Unlicensed Technician/Station

A & D

MIN. - Revocation of ARD registration & Station license,
stayed
30-day suspension of Station license
2 years probation

MAX. - Revocation of ARD registration & Station license

§ 44014.4(b) – Advertising as a Gold Shield Station Without Being Certified

A & D

MIN. - Revocation of ARD registration & Station license,
stayed
30-day suspension of Station license
2 years probation

MAX. - Revocation of ARD registration, stayed
3 years probation
Station license revoked

§ 44014.5(b) - Repairs Performed at a Test- Only Station

A, & B & D

MIN. - Revocation of ARD registration &
Station/Technician license, stayed
30-day suspension of Station/Technician license
2 years probation

MAX. - Revocation of ARD registration, stayed
3 years probation
Station/Technician license revoked

§ 44015 - Improper Issuance of Certificates of Compliance

A, & B & D

MIN. - Revocation of ARD registration & Station license,
stayed
30-day suspension of Station license
2 years probation

MAX. - Revocation of ARD registration & Station license

§ 44015.5 - Improper Issuance of Certificate of Compliance or Certificate of Noncompliance to a New Motor Vehicle

A, & B & D

MIN. - Revocation of ARD registration & Station license,
stayed
30-day suspension of Station license
2 years probation

MAX. - Revocation of ARD registration, stayed
3 years probation
Station license revoked

§ 44016 - Failure to Perform Repairs in accordance with established Specifications and Procedures

A, & B & D

MIN. - Revocation of ARD registration &
Station/Technician license, stayed
30-day suspension of Station/Technician license
2 years probation

MAX. - Revocation of ARD registration &
Station/Technician license

§ 44017 - Failure to Comply with Cost Limits

A, & B & D

MIN. - Revocation of ARD registration & Station license,
stayed
30-day suspension of Station license
2 years probation

MAX. - Revocation of ARD registration & Station license

§ 44017.3 - Failure to Post Minimum and Maximum Repair Amounts and Information

A & D

MIN. - Revocation of ARD registration & Station license,
stayed
10-day suspension of Station license
2 years probation

MAX. - Revocation of ARD registration, stayed
3 years probation
Station license revoked

§ 44030 (a) – Smog Check Test, Services and Adjustments; Allowing Unqualified Technician to Perform

A, C & D

MIN. – Revocation of ARD registration & Station license,
Stayed
30-day suspension of Station license
2 years probation

MAX. – Revocation of ARD registration & Station license

§§ 44031.5 & 44032 – Performance of Test and Repair by ~~Non-Qualified~~ Unqualified Technician

A, B & D

MIN. - Revocation of ~~ARD & Station~~ Technician license,
stayed
30-day suspension of ~~Station~~ Technician license
2 years probation

MAX. - Revocation of ~~ARD & Station~~ Technician license

§ 44033

A & D

(a) – Failure to Display Prescribed Signage

MIN. - Revocation of ARD registration & Station license,
stayed
10-day suspension of Station license
2 years probation

MAX. - Revocation of ARD registration, stayed
3 years probation
Revocation of Station license

(b) – Requiring Repairs as a Condition of Performing a Test

A & D

MIN. - Revocation of ARD registration & Station license,
stayed
10-day suspension of Station license
2 years probation

MAX. - Revocation of ARD registration, stayed
3 years probation
Revocation of Station license

(c) – Failure to Provide Written Estimate or Repair Choice Statement

A & D

MIN. - 90-day suspension of ARD registration & Station license, 80 days stayed
2 years probation

MAX. - Revocation of ARD registration & Station license

(d) – Failure to State Separately Charges for Testing and Repairs

A & D

MIN. - Revocation of ARD registration & Station license, stayed
10-day suspension of Station license
2 years probation

MAX. - Revocation of ARD registration & Station license

(e) – Failure to Post Licenses

A & D

MIN. - Revocation of ARD registration & Station/Technician license, stayed
10-day suspension of Station/Technician license
2 years probation

MAX. - Revocation of ARD registration, stayed
3 years probation
Revocation of Station/Technician license

§ 44036(b) – Failure to Utilize Certified Original Equipment and Replacement Parts

A & D

MIN. - Revocation of ARD registration & Station license, stayed
10-day suspension of Station license
2 years probation

MAX. - Revocation of ARD registration, stayed
3 years probation
Revocation of Station license

§ 44059 - Making Any False Statement or Entry in Any Certificate of Compliance or TAS Analyzer

A, & B & D

MIN. - Revocation of ARD registration & Station/Technician license, stayed
30-day suspension of Station/Technician license
2 years probation

MAX. - Revocation of ARD registration & Station/Technician license

§ 44060

A & D

(e) – Illegal Sale or Transfer, or Purchase or Acquisition, of Certificates, Extensions or Waivers

MIN. - Revocation of ARD registration & Station license, stayed
30-day suspension of Station license
2 years probation

MAX. - Revocation of ARD registration, stayed
3 years probation
Revocation of Station license

(g) – Charging More for a Certificate than the Amount Charged by the Department

A & D

MIN. - Revocation of ARD registration & Station license, stayed
10-day suspension of Station license
2 years probation

MAX. - Revocation of ARD registration, stayed
3 years probation
Revocation of Station license

§ 44072.2

A & D

(b) – Conviction of a Substantially Related Crime

MIN. - Revocation of ARD registration, stayed
3 years probation
Station/Technician license revoked

MAX. - Revocation of ARD registration & Station/Technician license

(e) – Misrepresentation of a Material Fact in Obtaining a License

A & D

MIN. - Revocation of ARD registration, stayed
3 years probation
Station/Technician license revoked

MAX. - Revocation of ARD registration &
Station/Technician license

(f) – Aiding and Abetting an Unlicensed Person

A, B & D

MIN. - Revocation of ARD registration &
Station/Technician license, stayed
30-day suspension of Station/Technician license
2 years probation

MAX. - Revocation of ARD registration, stayed
3 years probation
Revocation of Station/Technician license

(g) – Failure to Make, Keep or Have Available for Inspection, Records of
Transactions as a Licensee

A & D

MIN. – 90-day suspension of ARD registration & Station
license
80 days stayed
2 years probation

MAX. - Revocation of ARD registration & Station license

3. Cal. Code Regs., Title 16

§ 3303.3 – Failure to Have Correct Mailing and Street Addresses on File

A & D

MIN. – 90-day suspension of ARD registration &
Station/Technician license
80 days stayed
2 years probation

MAX. - Revocation of ARD registration &
Station/Technician license, stayed
30-day suspension of ARD registration &
Station/Technician license
3 years probation

§ 3340.10 (f) – Unlicensed Operation of Smog Check Station

A, C & D

MIN. – Revocation of ARD registration & Station license,
stayed
30-day suspension of Station license
2 years probation

MAX. – Revocation of ARD registration and Station license

§ 3340.15 – Failure to Comply With General Requirements for Smog Check Stations

A, C & D

MIN. – Revocation of ARD registration & Station license,
stayed
3 years probation

MAX. – Revocation of ARD registration & Station license

§§ 3340.16 & 3340.16.5 – Failure to Comply With Station Equipment and Testing Requirements

A, B, & C & D

MIN. - Revocation of ARD registration & Station license,
stayed
10-day suspension of Station license
2 years probation

MAX. - Revocation of ARD registration & Station license,
stayed
60-day suspension of Station license
3 years probation

§ 3340.16.6 – Failure to Comply With Requirement for Telephone Line

A, & C & D

MIN. - Revocation of ARD registration & Station license,
stayed
30-day suspension of Station license
2 years probation

MAX. – Revocation of ARD registration, stayed
3 years probation.
Revocation of Station license

§ 3340.17 – Failure to Comply With Test Equipment, Electronic
Transmission, Maintenance and Calibration Requirements

A, C & D

MIN. – Revocation of ARD registration & Station license,
Stayed
10-day suspension of Station license
2 years probation

MAX. – Revocation of ARD registration & Station license,
Stayed
60-day suspension of Station license
3 years probation

§ 3340.23(a) – Failure to Comply With Specified Requirements Upon Loss
of Services of Licensed Technician

A, C & D

MIN. – Revocation of ARD registration & Station license,
Stayed
30-day suspension of Station license
2 years probation

MAX. – Revocation of ARD registration & Station license

§ 3340.30

A, B & D

(a) – Licensed Technician; Failure to Perform Proper Test or Repair

MIN. – Revocation of Technician license,
Stayed
30-day suspension of Technician license
2 years probation

MAX. – Revocation of Technician license

(b) – Licensed Technician; Failure to Maintain Current Mailing Address on
File With the Bureau

A, B & D

MIN. – Revocation of Technician license, stayed
10-day suspension of Technician license
3 years probation

MAX. – Revocation of Technician license

§ 3340.35 (d) – Unlicensed Sale or Issuance of Certificate of Compliance

A & D

MIN. – Revocation of ARD registration & Station license,
Stayed
30-day suspension of Station license
2 years probation

MAX. – Revocation of ARD registration & Station license

§ 3340.41

A, & B & D

(a) – Failure to Give Customer a Copy of Test Report

MIN. – Revocation of ARD registration & Station license,
stayed
10-day suspension of Station license
2 years probation

MAX. – Revocation of ARD registration & Station license,
stayed
60-day suspension of Station license
3 years probation

§ 3340.41(b) & (c) – Tampering with or Entering False Information into a
Test Analyzer System (TAS)

A, & B & D

MIN. – Revocation of ARD registration &
Station/Technician license, stayed
30-day suspension of Station/Technician license
2 years probation

MAX. – Revocation of ARD registration
Revocation of Station/Technician license

§ 3340.41(d) – Failing to Follow Proper Specifications and Procedures for
Diagnosis and Repair

A, B, & C, & D

MIN. – Revocation of ARD registration &
Station/Technician license, stayed
30-day suspension of Station/Technician license
2 years probation

MAX. – Revocation of ARD registration, stayed
3 years probation
Revocation of Station/Technician license

§ 3340.42 – Failure to Comply With Emission Inspection Standards and Test Procedures

A, B, C & D

MIN. – Revocation of ARD registration & Station/Technician license, stayed
30-day suspension of Station/Technician license
2 years probation

MAX. – Revocation of ARD registration
Revocation of Station/Technician license

§ 3351.5 – Failure to Maintain Required Auto Body Repair Shop Equipment

A & D

MIN. – Revocation of ARD registration, stayed
10-day suspension of ARD registration
2 years probation

MAX. – Revocation of ARD registration

§ 3351.6 – Failure to Comply With Equipment Requirements for Automotive Air Conditioning

A & D

MIN. – Revocation of ARD registration, stayed
10-day suspension of ARD registration
2 years probation

MAX. – Revocation of ARD registration

§ 3353 – Failure to Comply With Requirements for Written Estimates

A & D

MIN. - 90-day suspension of ARD registration
80 days stayed
2 years probation

MAX. – Revocation of ARD registration

§ 3356

A & D

(a) – Failure to Comply With Invoice Requirements for Content; Separation of Parts and Services; Identification of Crash Parts; or Copy to Customer

MIN. – 90-day suspension of ARD registration
80 days stayed
2 years probation

MAX. – Revocation of ARD registration

(b) – Failure to Comply With Invoice Requirements for Separate Billing for Shop Supplies, Miscellaneous Parts, etc. A & D

MIN. – 90-day suspension of ARD registration

80 days stayed

2 years probation

MAX. – Revocation of ARD registration

§ 3356.1 – Failure to Provide Itemization and Disclosure of Toxic Waste Disposal Charges A & D

MIN. – 90-day suspension of ARD registration

80 days stayed

2 years probation

MAX. – Revocation of ARD registration

§ 3358 – Failure to Comply With Requirements for Maintenance of Records A & D

MIN. – 90-day suspension of ARD registration

80 days stayed

2 years probation

MAX. – Revocation of ARD registration

§ 3360.2 – Failure to Comply With General Requirements for the Sale and Installation of Ball Joints A & D

MIN. – 90-day suspension of ARD registration

80 days stayed

2 years probation

MAX. – Revocation of ARD registration

§ 3361.1 – Failure to Comply With Minimum Requirements for Rebuilding Automatic Transmissions A & D

MIN. – 90-day suspension of ARD registration,

80 days stayed

2 years probation

MAX. – Revocation of ARD registration

§ 3362.1 – Engine Changes; Degrading Emission System

A & D

MIN. – 90-day suspension of ARD registration
80 days stayed
2 years probation

MAX. – Revocation of ARD registration

§ 3364 (a) – Defacing/Removing Vehicle Identification and Information Labels

A & D

MIN. – 90-day suspension of ARD registration
80 days stayed
2 years probation

MAX. – Revocation of ARD registration

§ 3365 – Failure to Comply With Auto Body and Frame Repair Procedures

A & D

MIN. – Revocation of ARD registration, stayed
10-day suspension of ARD registration
2 years probation

MAX. – Revocation of ARD registration

§ 3366 – Failure to Comply With Automotive Air Conditioning Inspection Standards and Service Procedures

A & D

MIN. – Revocation of ARD registration, stayed
10-day suspension of ARD registration
2 years probation

MAX. – Revocation of ARD registration

§ 3367 – Improper Installation, Re-installation, Sale or Distribution of Previously Deployed Air Bags

A & D

MIN. – Revocation of ARD registration, stayed
30-day suspension of ARD registration
2 years probation

MAX. – Revocation of ARD registration.

**§ 3368 – Improper Receipt or Payment of Commissions, Consideration,
Inducements or Referral Fees for Towing Services**

A & D

MIN. – 90-day suspension of ARD registration
80 days stayed
2 years probation

MAX. – Revocation of ARD registration, stayed
60-day suspension of ARD registration
3 years probation

§§ 3371 & 3372 – Untrue or Misleading Statements or Advertising

A & D

MIN. – 180-day suspension of ARD registration;
160 days stayed
2 years probation

MAX. – Revocation of ARD registration

§ 3372.1 – Misleading Price Advertising

A & D

MIN. – 180-day suspension of ARD registration
160 days stayed
2 years probation

MAX. – Revocation of ARD registration

**§§ 3373 & 3376 – False and Misleading Records; Failure to Disclose
Guarantee**

A & D

MIN. – 180-day suspension of ARD registration
160 days stayed
2 years probation

MAX. – Revocation of ARD registration

**§§ 3373 & 3377 – False and Misleading Records; Failure to Disclose Pro-
Rata Guarantee**

A & D

MIN. – 180-day suspension of ARD registration
160 days stayed
2 years probation

MAX. – Revocation of ARD registration